

Chairman Cosmas Iocovozzi called the meeting to order at 6:48pm followed by the Pledge of Allegiance.

Present: Chr. Cosmas Iocovozzi, Selectman Jack O'Reilly, Dave & Marge Hislop, Justin Richardson, Rhonda Baker Hill, FX Bruton, Dan, Kim and Jane Hislop and Administrative Assistant Beatrice Marconi. *(Selectman Rick Stern absent).*

Manifest Approvals: *S. O'Reilly moved to approve the manifests dated September 8 in the amount of \$ 60,710.23 and one dated September 15 in the amount of \$ 53,324.05. Seconded and passed 2-0 on a roll call vote.*

Minute Approval: *S. O'Reilly moved to accept the minutes of Sept 6, 2011. Seconded by Chr. Iocovozzi – Passed 2-0 on a roll call vote. The Minutes of Sept 12 were tabled until the next meeting.*

Constitution Week Proclamation: The Board of Selectmen proclaimed the Week of Sept 17 -23 as Constitution Week and signed a proclamation presented in behalf of the DAR – with Rhonda Baker Hill representing them.

D.O.T./Hislop Easement: FX Bruton, who was hired to review both the language and terms of D.O.T.'s contract offer to the Hislop Family due to having to mitigate for 12 acres of wetlands, stated that the terms as written were not uncommon. This will be an agricultural Easement with DOT holding executory interest which they will assign to the town with the Conservation Commission being the beneficiary. The State could re-assign anyone executory interest, however, the beneficiary (the Conservation Commission) will be in place indefinitely. The easement access issue can be altered with 2 parties agreeing in the future, however maintenance, liability, and details of access are still to be determined. Conservation Funds are slated to be used plus legal and closing costs. The group discussed the well which Chr. Iocovozzi urged them to address (decommission) even though access to the well presently is very limited. Limited public access for the future more or less possibly to be set up as an educational easement. *S O'Reilly moved to approve the \$ 75,000 and associated costs (legal & closing costs to be determined at a later date) for the Hislop/D.O.T. easement. Chr. Iocovozzi seconded. Motion passed on a roll call vote 2-0.*

Little Bay Road Extension/Biron: Chr. Iocovozzi has spoken with the Contractor and asked for an estimate for costs in addressing the sub-level asphalt concerns of Julie Biron. At the same time, Mr. Bourassa was asked to look at feathering an area at the Fletcher residence where soils were disturbed as well during the project. Chr. Iocovozzi will call Ms. Biron this evening to keep her informed.

Highway Garage Tool Crib Proposal: UpRight Fence proposed \$1,800 for a tool crib configuration at the Highway Garage which lead to *S. O'Reilly moving to accept their proposal not to exceed \$ 1,800 for the tool crib at the highway garage. Chr. Iocovozzi seconded. Motion passed 2-0.* AA to fax signed agreement.

Facility Use Requests:

UNH Marine Docents – Town Hall Audi & Kit – Dec 15 - 10:00am til 3:30pm

United Oil Recovery – DeRochemont Room – Oct 18 5:pm – 9pm – Public Hearing w/DES

Great Bay Services – Fox Point Dock/Picnic tables- For Picnics periodically Apr – Nov - Generally 1 van

DAR – Town Hall Audi & Kit – May 14 2012 – Dinner Meeting – 2:00-9:pm

The above requests were approved with fees (if applicable) and deposits waived.

Portsmouth High School Band Contribution: *S. O'Reilly moved to approve Newington purchasing a \$100 program add in support of the High School's trip to Orlando. Chr. Iocovozzi seconded. Motion passed 2-0 Roll call.*

Misc: The AA was asked to co-ordinate a meeting with Attorney McNeil.

At 7:27pm, S O'Reilly moved to go into non public under RSA 91:A-3 - legal issues. Chr. Iocovozzi seconded and on a roll call vote, the motion passed 2-0.

"In non public, the Selectmen agreed to seek counsel for a legal issue."

At 7:45 pm, S. O'Reilly moved to come out of non public under RSA 91:A-3 – legal issues. Chr. Iocovozzi seconded and on a roll call vote, the motion passed 2-0.

The minutes were not sealed. At 7:45 pm, S O'Reilly moved to adjourn and Chr. Seconded. Motion passed on a roll call vote. 2-0.

Respectfully Submitted,

Beatrice Marconi
Administrative Assistant